

**Blue Ribbon Commission on Transportation
Administration Committee**

Final Meeting Summary
Approved September 15, 2000

April 28, 2000

Present: Doug Hurley, Chair, Rodney Brown, Greg Devereux, Senator Jim Horn, Tomio Moriguchi, Connie Niva, Randy Scott, Judie Stanton

Absent: Peter Bennett, Vice Chair, Bob Dilger, Robert Higgins, Representative Ruth Fisher

Others in Attendance: Julie Collins (Port of Tacoma), Aubrey Davis (Washington Transportation Commission), Stan Finkelstein (Association of Washington Cities), Dick Larson (Huitt-Zollars), Jon Layzer (Community Transit), Doug Levy (Cities of Everett, Renton, and Kent), Jeff Monsen (Whatcom County), Chris Mudgett (County Road Administration Board), Doug Pullen (Kemper Development Company), Douglas A. Rauh (Bainbridge Island Chamber of Commerce), Dan Rude (Transportation Improvement Board), Karen Schmidt (Freight Mobility Strategic Investment Board), Jim Seitz (Association of Washington Cities), Charlie Shell (City of Seattle), Gretchen White (Washington State Department of Transportation), Donald S. Williams

The Committee Chair called the meeting to order at 9:20 a.m. The Committee approved the summary of the March 24th meeting as drafted.

The Chair noted that Rod Brown has replaced Ken Smith on the Administration Committee.

Public Comments

Donald Williams, a resident of Gig Harbor, made two recommendations to the Committee. First, the Commission ought to make strides in gaining credibility with the public. He proposed public hearings throughout the state and improved accountability. He noted an article from the *News Tribune* regarding cost overruns on the Tacoma Narrows Bridge. Second, the Washington State Department of Transportation (WSDOT) needs to undergo a performance audit (as opposed to just a compliance audit) structured and performed by an independent, objective party.

Douglas Rauh identified the need for the legislature to have appropriate information before they make capacity investment decisions. He conveyed a specific desire for Washington State Ferries to

release the findings of a May 1999 origin-destination study of Kitsap County routes. He noted that while the goal of WSDOT is to move *people*, many current Washington State Ferries investment decisions focus on moving *cars*. Rauh also recommended that Commissioners and Legislators improve accountability and control of transportation investments.

Developing Committee Options

Kjris Lund, project manager for the Commission, briefly summarized the goals and discussions topics of the May 18th Full Commission Retreat. The retreat will provide an opportunity for Commissioners to learn what other Committees have developed in the way of options. The intended results of the retreat are an understanding of each Committee's activities, clarification of areas of similar interests between the Committees, and a decision on how to package a set of options.

Lund presented the Committee with a potential framework for organizing options which will be shared with the public to stimulate discussion and facilitate public input. She discussed how the Administration Committee's work fits into that framework and asked for suggestions and ideas from the Committee. Committee members made the following suggestions:

- When options are presented to the public, it will be necessary to attach price tags to each option in order to generate substantive discussion.
- In the current language, the term "status quo" implies no additional costs, but in reality there are additional economic costs (e.g. time) associated with the current transportation system.
- As a result of changes in policies, operations, and budgets since the Commission began their work, the Committee's suggestions regarding efficiencies and "status quo" will also need to change.
- Each section of the options document needs more thorough description of the costs, disbenefits, and progress made at various levels in the transportation system.

Lund also reviewed common themes emerging from all Committees:

- Be efficient
- Take care of what we have
- Empower regions to solve problems
- Foster the most effective mix of investments
- Ensure the state system works
- Ensure public safety
- Foster economic development and activity
- Provide for a higher quality of life

Some committee members raised concern about the effect on corridors of statewide significance,

such as I-5, if authority and funding are distributed exclusively to the regional level of government. The Chair noted that a strong regional role and a strong state role are not necessarily contradictory, and suggested that the Committee add a governance option concerning statewide improvements.

It was also noted that the Committee should add a theme regarding improvement of public access, knowledge, and involvement in relation to transportation in Washington State.

In response to the public comment made by Donald Williams, the Chair noted that one topic the Committee will need to address in the future is lost credibility resulting from surprise increases in cost structures.

Lund led the Committee in discussing a draft list of options that staff had prepared. The following summary organizes the comments by the corresponding option.

Governance Options

Washington State Department Of Transportation (WSDOT) Role and Jurisdiction

1a) WSDOT would maintain current responsibility for all state-owned facilities, and add arterials of regional significance

1b) WSDOT would continue to be responsible for all transportation modes, as it currently is

1c) WSDOT would be responsible for highways of statewide significance only (as adopted 12/17/98). Other roads go to counties or to regions

It was noted that language in (1a) and (1b) should be consistent except for the portion which notes the addition of arterial maintenance. The Chair suggested that the Committee highlight specific areas of WSDOT responsibility in (1a) such as highways, passenger rail, ferries, and some airports rather than just say “state-owned facilities.”

The Chair also noted that a transportation model should be one in which the responsibility of a level of government corresponds with the fiscal capacity of that level of government. It has been noted statewide that the worst and most expensive transportation problems seem to coincide with the greatest location of personal income.

It was suggested that another role for WSDOT is to perform the actual building of projects for other agencies without being involved in the planning or funding aspect of the project. It was also suggested that the Committee invite participants in the road jurisdiction study to speak with the Committee on this topic.

Washington State Transportation Commission Role

2a) Commission would be responsible for policy and budget, recommend legislation, and select Washington State Department of Transportation (WSDOT) secretary (current role)

2b) Commission would act in advisory role to governor (as in 10 other states)

2c) Change and expand commission's role

2d) Eliminate transportation commission

The Chair expanded on option (2b). This option not only broadens the transportation commission's role, but also shifts the role from a WSDOT policy group to a statewide watchdog, benchmark, and plan certification group. This new group is envisioned to be a place for every agency across the state to go for information regarding accountability and standards.

It was noted that in the supporting language of option (2d), "fall to the State Auditor" should be changed to "another location" because of a possible conflict of interest.

Washington State Transportation Commission Selection

3a) Governor appoints: current practice in Washington and 10 other states

3b) Regions select

The Committee determined to strike options (3a) and (3b).

It was noted that a study by the Washington Roundtable found no correlation between the form of commissioner selection and accountability.

Washington State Department of Transportation Secretary Role

4a) Current system, with the transportation commission selecting the secretary

4b) Appointment of a professional manager by the governor

It was suggested that the Committee consider including the option of a directly elected secretary. The Committee discussed the pros and cons of such an option, and decided to include it because of current discussion of this topic in the legislature.

Regional Governance Options

5a) Regional entity with comprehensive authority for planning, funding, project selection, project implementation and including some ownership and operation.

5b) Regional entity with planning, funding, and project selection authority only

5c) Regional entity with funding and project selection authority only

5d) County-level entity

Concern was raised as to how to address the issue of aligning state and regional goals. The Chair suggested Committee members engage in a discussion regarding this topic between this meeting and the full Commission retreat in May.

The Chair noted that many sub-options exist within the current options.

Project Delivery Efficiencies Options

Conventional Project Delivery

6) Enhanced team planning/partnering

7) Early environmental review

8) Improved project management

9) Taking measured (appropriate) risks

The Chair noted that the Committee has discussed these options at length and Committee members had no additional comments.

Alternative Project Delivery

10a) Build-transfer-operate

10b) Private construction and management

11) Legislative authorization

12) Education and training

13) Use of private sector to deliver projects

It was suggested that “Legislative authorization” is a confusing term and should be replaced. Option (10b) refers to legislation necessary to implement the other options in this category. The Chair

noted that many of the options will require legislative authorization and suggested the Committee strike option (10b). He also suggested “Build-transfer-operate” be replaced with “design-build.”

Reduce Construction Costs

14a) Savings on materials and methods

14b) Right-of-way “banking”

14c) Changes in prevailing wage laws

14d) Reduce mitigation costs

The Chair noted that the Committee should work with the Washington State Department of Transportation to address the costly and time consuming duplication of administrative effort resulting from elaborate federal and state labor wage checks.

Operations and Maintenance Efficiencies Options

Administrative Efficiencies

15) Thorough review of Washington State Department of Transportation administration practices

16) Use and apply benchmarks to assess and monitor efficiency

17) Cap and monitor other transportation administration costs

The Committee has seen a great deal of data, from a variety of agencies, which come to many different conclusions regarding the comparative status of WSDOT administrative costs. The Committee has also spent a considerable amount of staff time reviewing the data. Option (16) aims to address this discrepancy between data sources. Both the WSDOT and its critics state a common goal: to achieve efficient operations. The questions which remain are “what is efficient?” and “how do we measure it?” The Committee suggested that this topic might be transferred to the Benchmark Committee with emphasis on measuring goals of excellence in this arena.

Some Committee members raised concerns with the term “Cap” in option (17). The Chair suggested the Committee replace “Cap and monitor,” with “Define, cap, and monitor.” It was also suggested that benchmarking against previous performance would be more effective at improving administrative efficiency than capping. The Chair noted that when a group needs to be strengthened it is useful to have external benchmarking as well. As in K-12 education, desired performance outcomes must be established.

Functions

18) Managed competition for operations and maintenance functions

19) Workplace reengineering

20) Better data gathering and cost allocation

21) Authorize/encourage jurisdictions to share resources

Lund noted that it is important to incorporate standards by which to measure the improvements that result from the implementation of these options.

Permit Reform Options

One-Stop Permitting With Decisions That Stick

22a) Delegate Authority

22b) Require interagency agreements early in decision-making process

22c) Authorize permit reviews to be conducted by certified jurisdictions to avoid multiple reviews

22d) Create project teams

22e) Permit assistance center

22f) Provide early involvement by stakeholders

22g) Involve resource agencies early in planning/design/critical area designation

Coordinate Mitigation Across Jurisdictions

23a) Coordinate environmental mitigation strategies with other agencies

23b) Watershed based planning

23c) Encourage pilot projects

Miscellaneous

24) Empower regional authorities with permit responsibility

25) Improve current systems

The Chair shared two concerns about the list of Permit Reform Options. First, it lacks clarity regarding how significant the impacts of permit reform will be. He suggested that the Committee

expand the list of permit reform options. Second, the list of permit reform options does not address the state's strong commitment to clean air and water. The Chair voiced some skepticism as to whether permits are currently achieving the environmental enhancement and preservation they were originally designed to achieve. The Chair acknowledged that these issues might not fit into the roles of the Administration Committee, but suggested the Committee could do more with the list of permit reform options.

The Committee discussed permit reform at the Federal level. One concern is that the Army Corps of Engineers sets itself up as a final judge – the Corps will not begin their process until everything else is finished. As a result, parallelism is impossible, and Corps review becomes a cross-review point for everything that has happened along the way. Another concern is the lack of agreement on exactly what sort of fish and wetland protection is needed; a tradeoff exists between substantive and process regulations. If agreement could be reached on substance, some time-consuming processes could be eliminated.

Many Committee members and agency staff in the audience conveyed a belief that permit reform at the federal level is impossible. But because reform at the federal level has the greatest potential impact, the Chair and other Committee members proposed that the Committee initiate a dialogue with legislators and congresspeople about federal permit reform.

Chris Mudgett, County Road Administration Board, suggested a concerted effort to educate federal agencies on Washington State's history and familiarity with permitting requirements in an attempt to receive more delegated authority and eliminate duplicated efforts. Mudgett noted that some requirements of the Endangered Species Act (ESA) have been performed by Washington agencies as a part of the State Environmental Policy Act (SEPA) for the past 30 years. The Chair noted that one could view Washington's salmon decline as evidence to the contrary.

The Committee discussed areas in which progress can be made even if change at the federal level is impossible. Currently there are reportedly not enough permit writers to handle demand; it was suggested that the State and Federal governments should hire more permit writers. It was also noted that if there are duplicate efforts at the state and local levels, these reviews could be made unnecessary by allowing the federal agency to be the sole permit granting authority. However, the loss of local control and the long time frame required to obtain permits at the federal level make this an unlikely option.

It was noted that the current language of the permit reform option list is a bit dry and needs to include evidence and examples.

Next Meeting

The next Committee meeting is scheduled for **Thursday, May 18, 2000, 9:00 a.m.–12:00 p.m.**, at the Aljoja Conference Center in Seattle.

The meeting was adjourned at 12:00 p.m.